



**MEMO ENDORSED**

HON. SYLVIA O. HINDS-RADIX  
*Corporation Counsel*

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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April 10, 2024

**VIA ECF**

Honorable Paul A. Engelmayer  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Jean R. Auguste, Jr. v. Department of Corrections et al..  
24 Civ. 1732 (AT)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter.<sup>1</sup> I write on behalf of the City of New York ("City") to respectfully request for the Court to *sua sponte* grant individually named defendants Captain Kelly, Officer Caruso, and Officer Osborne a one week extension of time to comply with the Court's March 11, 2024 Order and file waivers of service.

As the Court is aware, Your Honor issued an Order of Service on March 11, 2024 directing the City of New York, Captain Kelly, Officer Caruso, and Officer Osborne to waive service of summons by April 10, 2024. In accordance with the Court's March 11, 2024 Order, defendant City of New York filed its waiver of service earlier today, on April 10, 2024. See ECF

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<sup>1</sup> This case has been assigned to Assistant Corporation Counsel Randy Nandlal, who is awaiting admission to the New York Bar. Mr. Nandlal is handling this matter under my supervision and may be reached at (212) 356-2356 or rnandlal@law.nyc.gov.

No. 10. However, due to the undersigned being assigned this case less than a week ago, I respectfully request an additional week, until April 17, 2024, to ensure that waivers of service are filed on behalf of the individually named DOC officers.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Inna Shapovalova

Inna Shapovalova

Senior Counsel

Special Federal Litigation Division

cc: VIA FIRST CLASS MAIL  
Jean R. Auguste, Jr.  
*Plaintiff Pro Se*  
B&C No. 349-23-01256  
Otis Bantum Correctional Center  
16-00 Hazen Street  
East Elmhurst, New York 11370

The Court denies this application as moot in light of the waivers of service, submitted on April 11, 2024, on behalf of Defendants Kelly, Caruso, and Osborne. (Dkt. No. 12). The deadline for the individual Defendants to answer or otherwise respond to Plaintiff's Complaint is June 10, 2024.

Date: April 15, 2024  
New York, New York

**SO ORDERED:**



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**HON. GARY STEIN**  
**UNITED STATES MAGISTRATE JUDGE**